

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ELECTRIC INSURANCE COMPANY, ET AL.)	CASE NO. C-1-00-1056
)	
Plaintiffs,)	JUDGE BERTELSMAN
)	
v.)	
)	
PHYLLIS H. WALLACE, EXECUTRIX OF THE ESTATE OF CHRISTOPHER S. WALLACE, ET AL.)	AFFIDAVIT OF BRIAN A. MEEKER
)	
Defendants.)	
)	

Affiant, Brian A. Meeker, having first been duly sworn according to law, states and avers as follows:

1. Melanie Hoffer was advised that her deposition was scheduled for April 21, 2005 by means of a letter sent on my behalf by my paralegal.

2. Melanie Hoffer was further advised that her deposition was scheduled for April 21, 2005 by means of attempted service of a subpoena by a process server retained by counsel for the Estate of Wallace. On information and belief, Ms. Hoffer ripped this subpoena into pieces.

3. On further information and belief, Ms. Hoffer spoke with counsel for the Estate of Wallace, indicated her knowledge of the date and time of the deposition, but further indicated she was uncertain whether she would attend.

4. I retained a process server to attempt personal service of a subpoena to Ms. Hoffer. After many unsuccessful attempts to make personal service, I requested the process server to leave a copy of the subpoena at Ms. Hoffer's residence.

5. After Ms. Hoffer failed to appear for her deposition, I left a voice message at her phone number requesting her to call me to discuss the case and make arrangements for a deposition. Ms. Hoffer did not return that call.

